

## **Publisher's Note**

The University of Pune has great pleasure in publishing the syllabus for the **First and Second Year LL.B. (Three-Year Law Course) (Semester Pattern) Course** under the Faculty of Law.

It is hoped that this syllabus will be most useful to the students of this course.

On behalf of the University, I thank the experts and authorities of the University for their keen interest and whole-hearted co-operation in bringing out this publication.

**University of Pune**  
Ganeshkhind, Pune-411 007.

**Dr. D. D. Deshmukh**  
**Registrar**

**UNIVERSITY OF PUNE**

**Circular No. 230 of 2003**

***Subject : Syllabus of First and Second Year LL.B.  
(Three-Year Law Course) (Semester  
Pattern)***

It is notified for the information of all concerned that the University Authorities have decided to implement the syllabus of I and II Year LL.B. (Three and Five Year Law course) (Semester Pattern). The syllabus is enclosed in the Appendix.

The above decision will come into force from Academic Year 2003-2004.

Ganeshkhind, Pune-411007

Ref. No. : CB/3524

Date : 12-6-2003

*Sd/-* **D. M. Devke**  
*for Registrar*

**Semester Scheme for LLB (Three Year Law Course)  
and BSL LLB (Five-Year Law Course)**

**from academic year 2003-2004**

1. The 1st and IIInd years of the LLB (three year law course) and BSL LLB (Five year law course) will adhere to the following semester pattern from the academic year 2003-2004
2. The improved semester pattern of 100 marks for each paper will be introduced in a phased manner as shown below

**LLB (Three Year Law Course)**

Year of the degree course	Academic year
Ist year LLB	2003-2004
IIInd Year LLB	2003 -2004
IIIrd year LLB	2004-2005

**BSL LLB (Five Year Law Course)**

Year of the degree course	Academic year
Ist year BSL	2003-2004
IIInd year BSL	2003-2004
IIIrd year BSL	2004-2005
IV year BSL LLB	2005-2006
V year BSL LLB	2006-2007

3. The detail syllabi for all the subjects of the Ist and IIInd yeats of the two courses are also enclosed
4. The rules of standard of passing are also enclosed.

5. The examination pattern has been simplified for the semester scheme and it shall be as follows
  - a. Since law subjects of these two courses are the same with same prescribed syllabus as far as possible, only one paper will be set for the two courses at any examination session.
  - b,. Since one subject shall have only one paper during any session. All candidates (regular, repeaters, of all semesters and non-semester candidates of earlier years) will appear for the same paper.
  - c. The papers for that subject will however have different code-numbers according to the course for identification.

**University of Pune**

**Faculty of Law**

**LLB (Three-year LLB Course)**

**Rules for Standard for Passing, Benefit etc.**

1. Standard of Passing

To Pass any examination, a candidate must obtain

  - a. 35% of the full marks in each paper
  - b. 50% of the total marks in the examination
2. Entitlement to appear at the end of the academic year

A Candidate who has completed his term for Semester I, III or V of the three-year LLB Course, and has paid examination fees for such Semester-Examination, but has remained absent for any or all papers or has failed in any or all papers at such Semester Examination, shall

## 5

be entitled to appear for any or all of such papers respectively along with the Semester II, IV or VI examinations respectively.

Any student who has appeared for Semester I, III or V Examination of the three-year LLB Course shall be entitled to re-appear for all or any of the papers respectively along with the Semesters II, IV or VI examinations for improving his marks.

### 3. Exemption

A candidate who obtains at least 50% of the full marks or a paper shall at his option be exempted from that paper at a subsequent examination. He shall however have to pass in the remaining paper or papers in accordance with the standard of passing laid down above. The benefit of exemption so earned may be available for six years only.

### 4. First-Second Class

At the end of the academic year, those of the successful candidates who obtain 50% or more of the total marks will be placed in the Second Class, those who obtain 55% or more marks will get higher II class and those who obtain 60% or more of the total marks will be placed in the First Class and those who obtain 70% or more marks will be placed in First Class with Distinction.

### 5. Allowed to keep terms

A candidate who obtains at the Ist and IInd years of LLB (three year LLB course) 50% of the full marks in any six out of the total number of papers prescribed for

the respective academic year shall be allowed to keep terms respective for the IInd and IIIrd year of LLB Examination.

Provided however that he shall not be declared to have passed the IInd LLB or the IIIrd LLB Examination unless he has passed the Ist LLB or the IInd LLB Examination by passing in the remaining papers in accordance with the standard of passing laid down above.

Such a candidate shall not be eligible for a Class prize at scholarship awarded at the examination.

**1st Year of LL.B. [Three-Year LL.B. Course]**

**Semester I (June-October)**

1. Family Laws-I-100 marks
2. Law of Crimes-100 marks
3. Labour Laws-100 marks
4. Optional Papers (any one) -100 marks
  - a. Trust, Equity and Fiduciary Relationships
  - b. Criminology and Penology
  - c. Woman and Law, and Law relating to the Child
  - d. International Economic Law
5. Law of Contract-I- (General Principles of Contract and Specific relief Act)-100 marks

**Semester II (November -April)**

6. Family Laws-II-100 marks
7. Constitutional Law-100 marks
8. Law of Torts and Consumer Protection Act-100 marks
9. Practical Training III (Professional Ethics. Accountancy for Lawyers and Bar-Bench Relations)-100 marks

**Ist year of LLB (Three-year LL.B Course)**

**Semester I (June-October)**

**Paper I-Family Laws-I**

**100 marks**

**(With latest amendments and case-law)**

Family Relations - Hindus, Muslims, Christians and Parsis.

1. Nature, Sources and Schools of
  - a. Hindu Law
  - b. Muslim Law
2. Marriage
  - a. Formation
  - b. Duration
  - c. Disruption
3. Marital Relief
  - a. Judicial separation
  - b. Divorce
  - c. Nullity of marriage
  - d. Restitution of conjugal rights
  - e. Dissolution
4. Law of Maintenance (Hindu and Muslim law)
  - a. Claim of spouses
  - b. Claim of parents and children
  - c. Alimony (pendente lite and permanent)
5. Adoption
6. Minority and Guardianship
7. The Special Marriage Act 1954

**Statutes**

1. The Hindu Marriage Act, 1955
2. The Hindu Adoptions and Maintenance Act, 1956
3. The Hindu Minority and Guardianship Act, 1956
4. The Christian Marriage Act, 1872
5. The Indian Divorce Act, 1869 (as amended by Amendment Act 49 and 51 of 2001)
6. The Parsi Marriage and Divorce Act, 1936
7. The Special Marriage Act, 1954
8. The Muslim Women's (Protection on Divorc) Act, 1986
9. The Dissolution of Muslim Marriages Act.

*Recommended books and reading*

1. Desai Kumud, Law of Marriage and Divorce
2. Diwan Paras Modern Hindu Law
3. Mayne's Hindu Law and Usage
4. Diwan Paras, Family Law
5. Dr. T.V. Subbarao Family Law in India
6. Mulla, Principles of Mahommedan Law
7. Mahmood Tahir, Muslim Law of India.

**Paper 2 Law of Crimes**

100 marks

1. Indian Penal Code, 1860 - Sections I - 511
2. Criminal Jurisprudence - Essential of Crime, definition of crime and offence, related maxims, theories of punishment with relevant case-law



*Recommended books*

1. Ratanlal and Dhirajlal, The Indian Penal Code
2. Gaur K.D., A Test Book on the Indian Penal Code
3. Pillai, P.S.A., Criminal Law
4. Mishra S.N., Indian Penal Code
5. Bhattacharya T., The Indian Penal Code

*References*

1. Basu, Indian Penal Code, Vol. 1 &2
2. Dr. H. S. Gour's, Penal Law of India, Vol. 1 to 4
3. Gaur K.D. Criminal Law - Cases and Materials
4. Jaspal Singh, Indian Penal Code
5. Kenny, Outlines of Criminal Law
6. Nigam R.C., Principles of Criminal Law

**Ist year of LL.B. (Three-year LL.B. Course)****Semester I (June-October)****Paper 3 Labour Laws****100 marks****UNIVERSITY OF PUNE****Circular No. 292 of 2003****Subject : Syllabus of Labour Laws at First Year of  
Three-Year Law Course - First Semester**

It is notified for the information of all concerned that the University Authorities have decided that the number of Act minimized to six Acts instead of eight Acts for the First Year of Three-Year Law Course at Semester-I Paper-III - Labour Laws (100 marks). Six Acts are mentioned below.

- |   |                   |
|---|-------------------|
| 1. Industrial Dispute Act, 1947         | - 30 marks.       |
| 2. The Factories Act, 1948              | - 20 marks.       |
| 3. The Minimum Wages Act, 1948          | - 10 marks.       |
| 4. The Workmen's Compensation Act, 1923 | - 15 marks.       |
| 5. Employees State Insurance Act, 1948  | - 15 marks.       |
| 6. The Payment of Wages Act, 1936       | - 10 marks.       |
|   | <b>100 marks.</b> |

---

The above decision will come into force from the Academic Year 2003-04.

## 10

### *Recommended books and readings*

1. Malik P. L. Handbook of Labour and Industrial Law.
2. Malhotra O.P. Industrial Disputes Act, 1947
3. Shrivastava K.D., Commentaries on all Labour Laws
4. Kothari G.M., A study of Industrial Law
5. Sachedeva, Industrial and Labour Law
6. Reports of the National Commission on Labour I / II
7. Recommendation and Conventions of ILO

### **Semester I (June-October)**

#### **Paper 4 -Optional paper (a)**

Trust, Equity and Fiduciary Relationships                      100 marks

Division of marks

1. The Indian Trusts Act, 1882                                      40 marks
2. Fiduciary relations    10 marks
3. The Bombay Public Trusts Act, 1950                              35 marks
4. Principles of equity and maxims                                      15 marks

(with latest amendments and case-law)

**A. The Indian Trusts Act 1882**

1. Preliminary
  - a. Definitions - Trust, author of the trust, trustee, beneficiary, trust property, beneficial interest, instrument of trust, breach of trust, cestui que trust
  - b. Comparison of trust with other relationships
    - i. Private trust and Public/charitable trust
    - ii. Trust and debt
    - iii. Trust and Ownership
    - iv. Trust and Bailment
    - v. Trust and Agency
    - vi. Trust and Contract
    - vii. Trust and Conditions
    - viii. Trust and Equitable Charge
    - ix. Trust and Mortgage
    - x. Trust and Administration
2. Kinds of trusts
3. Creation of trusts
4. Appointment of trustees
5. Duties and Liabilities of trustees
6. Rights and Powers of trustees
7. Disabilities of trustees
8. Rights and Liabilities of the Beneficiary
9. Vacating the Office of Trustee
10. Extinction of Trusts
11. Certain Obligations in the Nature of Trusts

**B. Fiduciary relations - concepts and kinds**

**C. The Bombay Public Trusts Act 1950**

1. Definitions - public trust, math, person having interest, temple, wakf, trustee
2. Establishments
3. Charitable purposes and validity of certain public Trusts
4. Registration of Public Trust
5. Budget, Accounts and Audit
6. Powers and duties and restrictions on trustee etc.
7. Control, powers and functions of Charity Commissioner
8. Other functions and powers of Charity Commissioner, Dharmada, cypress
9. Speical provision as respects religious and charitable institutions and endowments
10. Public Trusts Administration Fund
11. Offences and Penalties
12. Function of Charity Commissioner, Procedure, jurisdiction and Appeals

**D. Principles of equity and maxims**

1. Concept and defination of equity
2. Origin and development
3. Maxims of equity
  - a. Equity will not suffer a wrong to be without a remedy.

## 13

- b. Equity follows the law.
- c. Where there is equal equity, the law shall prevail.
- d. Where the equities are equal, the first in time shall prevail.
- e. He who seeks equity must do equity.
- f. He who comes into equity must come with clean hands.
- g. Delay defeats equities.
- h. Equality is equity.
- i. Equity looks to the intent rather than to the form.
- j. Equity looks on that as done which ought to be done.
- k. Equity imputes an intention to fulfil an obligation
- l. Equity acts in personam.

### *Recommended books and readings*

1. Iyer N Suryanarayanan, The Indian Trust Act
2. Rangacharya I V, The Indian Trusts Act
3. Aggarwal O P, The Indian Trusts Act
4. Tandon M P, The Indian Trusts Act
5. Chaudhari D H, The Bombay Public Trusts Act, 1950
6. Shah K N, The Bombay Public Trusts Act, 1950
7. Apte M S, The Bombay Public Trusts Act, 1950
8. Gupte and Dighe, The Bombay Public Trusts Act, 1950
9. Snell's Principles of Equity
10. Ahmad Aquil, Equity, Trusts and Specific Relief
11. Baasu Durga Das, Equity, Trusts and Specific Relief

**Semester I (June-October)**  
**Paper 4 - Optional paper (b)**

Criminology and Penology

100 marks

1. Criminology
  - a. Definition
  - b. Nature and scope of criminology and penology and the nature and extent of crime in India
  - c. The concept of crime and characteristic of criminal law
  - d. Determination and differential of crime
  - e. The criminal - who is a criminal?
  - f. Whether criminology is a science?
  - g. Objective of criminal justice system
2. Schools of criminology
  - a. The Classical school and Neo-classical School
  - b. Cartographic
  - c. Socialist
  - d. Typological
  - e. Lombrosian
  - f. Psychiatric
  - g. Sociological and socio-psychological
3.
  - a. Prevalence of crime
  - b. Study of crime and criminal justice
  - c. Identification of the causes of crime - theories
  - d. Approaches to crime problem
  - e. Focus on individual and environment

4. Role and function of police
  - a. In action
  - b. Police goals, objectives and functions
  - c. National Police Commission (recommendations)
  - d. Appointment of Polic commissioner
  - e. Judicial Powers (Executive)
  - f. Organised crimes
  - g. Rights of victims
  - h. Protection of the accused
  
5. **A. Imprisonment : History of Prisons**
  - a. Aims and objectives, and conditions
  - b. Types of prisons
  - c.
    - i. Success and failure of prisons
    - ii. Discipline and control
  - d. Open air institutions
  
- B.**
  1. Prison work
  2. Education
  3. Prison reform - schools and reformations
  4. Rights of prisoners (contribution of the Supreme Court)

6. Prevention of crime and Delinquency
  - a. Punitive approach
  - b. Defence approach
  - c. Interventionist approach - prevention policies, recidivism, intervention, mechanical approach, clinical approach
7. White collar crime
  - a. Nature and definition
  - b. Types of white collar crime and development
  - c. Legislation to meet white collar crimes
  - d. Judicial trends

*Recommended books and readings*

1. Siddique Ahmed, Criminology
2. Sethna M J, Society and the Criminal
3. Sirohi J P S, Criminology and Criminal Administration
4. Paranjape N V, Criminology and Penology
5. Mehta Rohinton, Crime and Criminology
6. Sutherland E H, and Cressy D R, Principles of Criminology
7. Sutherland E H, White Collar Crime
8. Reckless W C. The Crime Problem
9. Bhudhan Vidya, Prison System in India
10. Mulla Committee Report



**Semester I (June-October)**

**Paper 4 - Optional paper (c)**

Woman and Law, and Law relating to the Child 100 marks

Division of marks

- m. Woman and Law - 50 marks
- n. Law relating to the Child - 50 marks

**(With latest amendments and case-law)**

**A. Woman and Law (50 marks)**

1. Constitution of India - provisions regarding women
  - a. Constitution of India - Articles 14, 15(1), 15(3), 16(1), 23 and (2), 39(d), 51
  - b. Reservation of seats for women in local bodies - Article 243
2. Violence against women
  - a. Domestic violence
    - i. Protection against Cruelty
    - ii. Harassment for dowry
    - iii. Forced prostitution
    - iv. State intervention
  - b. Relevant provisions of
    - i. The Indian Penal Code, 1890
    - ii. The Criminal Procedure Code, 1973
    - iii. The Indian Evidence Act, 1872
    - iv. The Dowry Prohibition Act, 1961
    - v. The Immoral Traffic (Prevention) Act, 1956

3. Women and Labour laws  
Relevant provisions of
  - i. The Equal Remuneration Act, 1976
  - ii. The Maternity Benefits Act, 1961
  - iii. The Factories Act, 1948
  - iv. The Mines Act, 1952
  - v. The Employees' State Insurance Act, 1948
4. Other protective legislations
  - a. The National Commission for Women Act, 1990
  - b. The Indecent Representation of Women (Prohibition) Act, 1986
  - c. The Commission of Sati (Prevention) Act, 1987
  - d. The Medical Termination of Pregnancy Act, 1971
  - e. The Pre-natal Diagnostics Techniques (Regulation and Prevention of Misuse) Act, 1994
5. Need for gender justice. Uniform Civil Code.

*Recommended books and readings*

1. Diwan Paras and Divan Peeyushi, Women and Legal Protection (Deep and Deep Publications, New Delhi)
2. Shamsi Dhamsuddin, Women, Law and Social Change (Ashish Publishing House, New Delhi)
3. "Towards Equality", Report on the Commission on Status of Women Empowerment in India. Chapters IV and Sec IV
4. The Hindu Widow's Re-marriage (Repeal) Act 1983
5. Gangrade K D, Social Legislation in India, Vols I and II

6. Bhattacharjee A M, Matrimonial Laws and the Constitution
7. Kant Anjam, Women and Law
8. Dewan V. K., Law Relating to Offences against Women
9. Mishra O P, Law relating to Women and Child
10. Reddy G B, Women and the Law
11. Batra Manjula, Woman and Law & Law Relating to Children in India.
12. The Pre-natal Diagnostics Techniques (Regulation and Prevention of Misuse) Act, 1994
13. The Medical Termination of Pregnancy Act, 1971
14. The Muslim Women's (Protection of Rights on Divorce) Act, 1986

**B. Law relating to the child (50 marks)**

1. Social and legal status of child
2. Constitutional protection to children under Articles 15(3), 24, 39(c) and (f), 45 of the Constitution of India
3. The National Commission for child
4. Legal control of employment of child labour under the following enactments
  - a. The Factories Act, 1948
  - b. The Apprentices Act, 1961
  - c. The Bombay Shops and Establishments Act, 1948
  - d. The Child Labour (Prohibition and Regulation) Act, 1986

5. Protective legislations for the child
  - a. The Juvenile Justice (Care and Protection of Children) Act, 2000
  - b. The Protection of Human Rights Act, 1993
  - c. The Child Marriage Restraint Act, 1929
6. Child under litigation with reference to Civil Procedure Code 1908

*Suggested reading*

1. The National Commission for Child
2. Indian Law Institute, Child and the Law
3. Upendra Baxi, Law and Poverty
4. National Law School Seminar Report on the Rights of the Child (1991)

**Semester I (June-October)**

**Paper 4 - Optional paper (d)**

**International Economic Law** **100 marks**

1. (a) Nature, development, scope and sources of International Economic Law
  - (b) International Law - is it true law?
  - (c) Theories of international law, private international law and public international law
2. International institutions, their functions and role in International Economic Law
    - New International Economic Order (NIEO), Charter on Economic Rights and Duties of States (ERDS)

## 21

- United Nations Conference on Trade and Development (UNCTAD)
  - United Nations Conference on International Trade Law (UNCITRAL)
  - World Intellectual Property Organisation (WIPO)  
Paris Convention, Berne Convention
  - International Bank for Reconstruction and Development (BRD)
  - International Finance Corporation (IFC)
  - International Development Association (IDA)
  - United Nations Development Programme (UNDP)
  - World Trade Organisation (WTO)
  - Organisation for Economic Co-operation and Development (OECD)
3. Foreign Investment
- Types and role of foreign investment
  - Measures to regulate and control foreign investment
  - World Bank guidelines
  - Introduction to International Finance
4. International Trade
- Unification of the law of International Sale of Goods
  - Uniform Customs and Practice for Documentary Credits and the International Chamber of Commerce

- Conventions for Enforcement of Arbitration Awards
    - Geneva Protocol and Convention
    - New York Convention 1958
    - UNCITRAL model law on international Commercial Arbitration
  - International Convention governing Bill of Lading
    - Brussels Convention
    - UNCITRAL Convention
  - The Hague Draft Convention on the Recognition and Enforcement of Foreign Judgments in Civil and Commercial Matters
    - Recognition and enforcement
5. General Agreement on Tariffs and Trade
- a. The legal and institutional aspects of GATT
    - Historical evolution of the GATT
    - Objectives and main principles of GATT
    - Procedure of negotiation Negotiation Rounds
    - The GATT 1994, salient features of the GATT 1994 (Final Act of Uruguay Round)
    - World Trade Organisation (WTO)
  - b. Basic principles and core concepts of the GATT/WTO, Most Favoured Nation (MFN)  
Treatment, National Treatment, Tariffs and Quotas
    - GATT 1994 - Articles I-V, VII, XIII, XVII-XXI, XXVII (Also GATT 1994 - Articles XXII, XXIII)

- Relevant Cases
  - Dumping and subsidies GATT 1994 Articles VI, XVI
  - WTO agreement Annexure IA
- c. Exceptions to the GATT/WTO  
GATT 1994, Articles XX, XXI, XII, IX, XXIII, XXIV, XXXV, XXIV, XIX  
WTO Agreement on Safeguards of GATT 1994
- d. Agreement of GATT 1994  
Controversial Agreements of GATT 1994  
Less controversial agreements of GATT 1994
- e. Implications and Opportunities of GATT 1994 for India with particular reference to Agreement on Agriculture Agreement on TRIPS, Agreement on Textiles and Clothing  
GATs, TRIMs
- f. Trade and Environment  
GATT and the Environment with relevant cases
6. Settlement of Disputes in International Economic Law
- a. WTO/GATT System  
Article XXIII of GATT Dispute Settlement, Understanding,
- b. International Court of Justice (ICJ)  
Constitution, Procedure, Jurisdiction, Relevant Cases (as enclosed)

- c. World Bank Inspection Panel  
Function, Procedure
- d. International Clauses for Settlement of Investment  
Disputes (ICSID), US-Iran Claims  
Tribunal, Function, Procedure

*CASES PANEL REPORTS*

- 1. Topic : Basic Principles and Core Concepts of GATT/  
WTO : MFN, National Treatment Tariffs and Quotas
  - a. Belgium - I Unity Allowances, G/32 adopted on 7  
November 1952, IS/39
  - b. Spain - Tariff Treatment of Unroasted Coffee from  
Brazil, L/5 : 35, adopted on 11 June 1981 28S/02
  - c. United States - Denial of Most Favoured Nation  
Treatment as to Non-rubber Footwear from Brazil,  
DS/IS/R adopted on 19 June 1992, 39S/128.
  - d. Japan-Tariff on Import of Spruce-Pine-Fir  
("Dimension Lumber") adopted 19 July 1989. 36S/  
167
  - e. Thailand-Restrictions on Importation of and  
Internal Taxes on Cigarettes BISD 37S/200.
  - f. US-Section 337 of the Tariff Act of 1930, BISD  
36S/345.
  - g. Japan-Taxes on Alcoholic Beverages, WTO/DSS/  
AB/R, WTO Panel report issued 11 July 1996,  
appeal filed by Japan, 8 August 1996



- h. Japan-Taxes on Alcoholic Beverages, WT/DSS/R, WTO Appellate Body report circulated 4 October 1996.
- i. United States - Cases on Petroleum and Certain Imported Substances, BISD 34S/136. 27 ILM (1988, pp. 1596-1616) Trade and Environment.
- j. United States - Prohibition of Import of Tuna and Tuna Products from Canada, Report of the Panel adopted on 22 February 1982, BISD/29S/91
- K. United States-Taxes on petroleum and Certain Imported Substances, Report of the Panel adopted on 17 June 1987, BISD/34S/160.
- L. Canada - Measures affecting Exports of Unprocessed Herring and Salmon, Report of the Panel adopted on 22 March 1988, BISD/35/98.
- m. United States - Section 337 of the Tariff Act of 1930. Report of the Panel adopted on 7 November 1989, BISD/36S/345.
- n. EEC - Regulation on Imports of Parts and Components (Screwdriver Case), Report of the Panel adopted on 16 May 1990, BISD/37S/132.
- o. Thailand - Restrictions on Importation of and Internal Taxes on Cigarettes, Report of the Panel adopted on 7 November 1990, BISD/375/200
- p. United States - Restrictions on Imports of Tuna from Mexico, Report of the Panel. GATT DOCUMENT ds21/R, 3 September 1991, 30 ILM 91991 1594.

- q. United States - Standards for Reformulated and Conventional Gasoline, WT/DS2/AB/R, AB-1996-1 29 April 1996.
2. Topic : ICJ
- a. Anglo-Iranian Oil Co Case, ICJ Reports 1952, P. 93; 19 ILR 507
  - b. Monetary Gold Case (Preliminary Question), ICJ Reports, 1954 p. 29; 20 IL 441
  - c. Norwegian Loans Case, ICJ Reports 1957, p. 9; 24 ILR 782.
  - d. Barcelona Traction Case, (New Application) Preliminary Objection, ICJ Reports 1964, p. 4; 46 ILR 18  
Secondary Phase, ICJ Reports 1970, p. 3; 46 ILR 178
  - e. Electronica Sicula SPA (ELSI) Case ICJ Reports 1989; 89 ILR 311
  - f. Certain Phosphates (Nauru v. Australia), ICJ Reports 1982, n 240; 97 ILR 111.

*Recommended books and readings:*

1. Dr. Rao Myneni Srinivasa, "International Economic Law, Poineer Books, Delhi.
2. Jackson, Davey, Syker, "Legal Problems of International Economic Relations", West Publishing Co. Minn. United States of America.
3. Trebilcock, Howse, "The Regulation of International Trade" Routledge, London.

4. Jonh Jackson, "The World Training System" The Mit Press, Cambridge.
5. Tandon, "Public International Law" Allahabad Law Agency, Allahabad.
6. P. Narayan, "Intellectual Property Law", Eastern Law House, Delhi.
7. Primary texts and general reference texts for the Trade Section of the Course.
8. The Result of the Uruguay Round of Multilateral Trade Negotiations : The legal texts. GATT Secretariat (1994). The full text of GATT 1947 and the multilateral agreements resulting from the Uruguay Round.
9. WTO Home Page <http://www.wto.org/Welsom.html>
10. For Panel Reports - Handbook of GATT Dispute Settlement (loose-leaf), P. Scatore, Davey and Lowented, Khiwer, 1991, Regularly updated loose-leaf reference of GATT and WTO panel Reports.

**Semester I (June-October)**

**Paper 5 : Law of Contract - I (General Principles of Contract and Specific Relief Act) 100 marks**

Division of marks :

General Principles of Contract - 80 marks

Specific Relief Act - 20 marks

**(With latest amendments and case-law)**

**I. General Principles of Contract**

1. Nature of Contract : Meaning, definition and elements, kinds of agreements and contract

2. Offer & Acceptance : definition, modes, legal rules as to offer, offer distinguished from invitation to offer, lapse of offer, standard Form contracts.  
Acceptance : definition, models, legal rules as to acceptance, effect of silence on acceptance.
3. Communication of offer, acceptance and revocation - rules regarding communication, contracts through post, contracts by telephone and telex.
4. Intention to create legal relations - Intention, types, social/domestic agreements, commercial/business agreements; when no contract
5. Capacity of Parties - Minor, law relating to minor's agreement, persons of unsound mind, persons disqualified by law.
6. Free Consent - Definition, Ingredients of Free Consent - a) Coercion; b) Undue Influence; c) Fraud; d) Misrepresentation; e) Mistake
7. Consideration - Meaning definitions, legal rules as to consideration; - "No Consideration : No Contract" and exceptions; Difference between Indian and English Law.
8. Doctrine of privity, and exceptions
9. Legality of Object and Consideration - Consideration/ Object not lawful; : Unlawful agreements.  
Agreements against public policy; Consequences of illegality
10. Other Legal Formalities - Contracts required to be in writing; Contracts required to be registered.

11. Void Agreements - Nature.  
Agreements declared to be void.
  - a. Agreement in restraint of marriage
  - b. Agreement in restraint of trade
  - c. Agreement in restraint of legal proceedings
  - d. Uncertain agreement
  - e. Wagering agreement
  - f. Agreement to do impossible acts.
  - g. Object of Consideration Unlawful in part.
12. Contingent or conditional contracts - definition, essential characteristics of a contingent contract.  
Rules regarding the contingent contract.
13. Performance of contract - Offer to performance - tender, By whom contracts must be performed.  
Reciprocal promises, Time and place of performance: Assignment of right and liabilities.
14. Discharge of Contracts - Meaning  
Modes of discharge -
  - a. Discharge by performance
  - b. Discharge by mutual consent;
  - c. Discharge by subsequent impossibility - doctrine of frustration;
  - d. Discharge by operation of law;
  - e. Discharge by breach of contract - anticipatory breach of contract.
  - f. Material alteration

15. Remedies for Breach of Contract - Consequences of Breach, Different Reliefs :
  - a. Rescission
  - b. Damages - liquidated damages and Penalty;
  - c. quantum meruit;
  - d. Specific performance;
  - e. Injunction;
  - f. Rectification
  - g. Cancellation.
16. Quasi contracts - What are - English and Indian law, - certain relations resembling those created by contracts
  - a. Supply of necessaries to incompetent person
  - b. Reimbursement of interested person
  - c. Liability to pay for non-gratuitous acts
  - d. Finder of goods
  - e. Delivery by mistake or under coercion

**II. Specific Relief Act, 1963**

Specific performance - Section 9, 10, 14, 15, 16, 19, 20, 21-24,

Rectification - Section 26,

Rescission - Section 27,

Cancellation - Section 31,

Injunctions - Sections 36 to 42,

Principles involved in the grant of above reliefs.

*Recommended reading:*

Avatar Singh - Indian Contract Act

Mulla - Indian Contract Act.

Anson - Principles of the English Law of Contract

P R Desai - Principles of Law of Contract

Pollock and Mulla - Indian Contract and Specific Relief Acts

Subba Rao GC Law of Contract I & II

Anand & Iyer - Specific Relief

KapoorSK-Contract along with Specific Relief Act, 1963

**Semester II (November-April)**

**Paper 6- Family Laws - II**

**100 marks**

Law relating to succession and property to Hindus, Muslims, Christians and Parsis (including State laws) (with latest amendments and up-to-date case-law)

**A. Hindu Law**

1. Hindu Joint Family System
2. Mitakshara Joint Family
3. Dayabhaga Joint Family
4. Son's pious obligation
5. Partition
6. Stridhan
7. The Hindu Succession Act, 1956

**B. Law relating to Muslims, Christians and Parsis**

1. Mahomedan law of succession-principles of inheritance
2. Wakfb
3. Gift
4. Pre-emption
5. Wills

**C. The Indian Succession Act 1925 (Sections 1 to 191)**

*Recommended books and reading*

1. Diwan Paras, Family Law
2. Mulla, Principles of Mahomedan Law
3. Mulla, Principles of Hindu Law
4. Tahir Mahmood, Hindu Law
5. Mayne, Hindu Law and Usage
6. Derrett J.D.M., Introduction to Modern Hindu Law
7. Paruck, The Indian Succession Act (latest edition)
8. Tahir Mahmood, The Muslim Law of India
9. Subba Rao G.C.V., Family Law

**Semester II (November-April)**

**Paper 7 - Constitutional Law**

**100 marks**

Note : All inter-related Articles have to be so mentioned and taught accordingly

To be studied with latest amendments, and up-to-date case-law



**A. Constitution of India - Features, Preamble, Territory, Citizenship, Fundamental Rights and Directive Principles, Legislature, Executive and Judiciary**

1. The Nature of the Constitution
2. Salient features of the Constitution
3. Preamble of the Constituion
4. The Union and its Territory (Articles 1-4)
5. Citizenship (Articles 5-11)
6. Fundamental Rights (also with reference to Emergency Articles 352-360 and Amendment provisions Art 368)
  - a. General - Article 12, Definition of State - Article 13
  - b. Right to Equality - Articles 14-18
    - i. Equality before Law - Article 14
    - ii. Prohibition of Discrimination on Grounds of Religion, Race, Caste, Sex or Place of Birth - Article 15
    - iii. Equality of Opportunity in matters of Public Employment - Article 16
    - iv. Abolition of Untouchability - Article 17
    - v. Abolition of Titles - Article 18
  - c. Right to Freedom - Articles 19-22
    - i. Protection of Certain Rights regarding Freedom of Speech, etc. - Article 19

- ii. Protection in respect of Conviction for Offences - Article 20
  - iii. Protection in Life and Personal Liberty - Article 21
  - iv. Protection against Arrest and Detention in certain cases - Article 22
  - d. Right against Exploitation - Article 23-24
    - i. Prohibition of Traffic in Human Beings and Forced Labour - Article 23
    - ii. Prohibition of Employment of Children in Factories etc. - Article 24
  - e. Right to Freedom of Religion - Articles 25-28
  - f. Cultural and Educational Rights - Articles 29-30
  - g. Right to Constitutional Remedies - Articles 32 -35
7. Directive Principles of State Policy - Articles 36-51  
Relation between Directive Principles of State Policy and Fundamental Rights.
  8. Fundamental Duties - Article 51-A
  9. The Union Executive - The President, Vice President, Council of Ministers 52-78 & 129
  10. The Parliament - Articles 79-122
  11. The Union Judiciary -Articles 124-147
  12. The Comptroller and Auditor General of India - Articles 148-151

**B. Centre-state Relations**

1. Introduction and concept of Federalism, Developments of Federation
2. The State Executives- Articles 153-167, 213
3. The State Legislature-Articles 168-212
4. The State Judiciary -Articles 214-237
5. The Panchayats- Articles 243, The Municipalities - Articles 243 P-243 ZG
6. Relations between the Union and State Articles 245-293
  - a. Legislative Relations
  - b. Administrative Relations
  - c. Financial Relations
7. The State Liability Articles 299-300
8. Right to Property - Articles 300A
9. Freedom of Trade, Commerce and Intercourse - Articles 301-307
10. Services under the Union and States - Articles 308-323
11. Tribunals - Articles 323A-323B
12. Elections and Emergency (all articles), Amendment and related Articles - Articles 324-329

*Recommended books and reading*

1. Basu Durga Das, Introduction to the Constitution of India
2. Basu Durga Das, Shorter Constitution of India
3. Dr. Pandey J.N., Constitutional Law of India

4. Jain M.P., Indian Constitutional Law
5. Seervai H.M., Constitutional Law of India
6. Dr. Shukla V.N., The Constitution of India
7. Tope T.K., Constitutional Law of India

**Semester II (November-April)**

**Paper 8 - Law of Torts and Consumer Protection Act**

**100 marks**

Division of marks :

Law of Torts - 80 marks

Consumer Protection Act 1986 - 20 marks

**(With latest amendments and case-law)**

**A. Law of Tort (80 marks)**

1. Nature of Tort  
History, Definition of tort, Distinction between tort crime and contract.
2. General Principles  
Constituents of tort, *damnum sine injuria*, *injuria sine damno*, *ubi jus ibi remedium*, General elements in tort, act and omission, voluntary act, malice, motive, intention, negligence and recklessness, fault, general principle of liability
3. Personal Capacity  
Convict, Alien enemy, Husband and Wife, Corporation, Trade unions, Insolvent, State and its Subordinates, Minor, Lunatic, Foreign sovereigns.

4. General Defences  
Act of State, Act of God, judicial acts, executive act, Leave and licence (consent, necessity, Private defence, inevitable, Accident statutory authority, parental and quasi parental authority, Plaintiff a wrong doer, acts causing slight harm.
5. Discharge of Torts  
Waiver, Accord and satisfaction, Release, Acquiescence, judgement recovered, Statutes of limitation.
6. Vicarious Liability - Liability by Relation
  - a. master and servant-principles of liability, vicarious liability of State
  - b. Principal and agent
  - c. Guardian and ward
  - d. Company and director
  - e. Employer and independent contractor
  - f. Firm and Partner
7. Remedies  
Damages, injunctions, specific restitution of property, extra-judicial remedies
8. Trespass to Person  
Assault and battery, false, Imprisonment, damages, justification
9. Defamation  
Libel and slander, essentials of defamation, innuendo, defences, remedies.

10. Trespass to Property
  - a. Trespass to immovable property  
Trespass to land, trespass by animal, defences to trespass, remedies, trespass ab-initio.
  - b. Trespass to movable property  
Trespass to goods, by conversion, by detention.
11. Negligence  
Meaning, essentials, burden of proof, Res Ipsa Loquitur, contributory negligence, strict and absolute liability.
12. Nuisance  
Kinds of nuisance, public nuisance and private nuisance, essentials, defences, remedies.
13. Malicious Proceedings  
Malicious prosecution, malicious civil proceedings
14. Liability for mis-statements  
Deceit or fraud, negligent mis-statements, innocent misrepresentations.
15. Death in relation to tort - English law and Indian law

**B. Consumer Protection Act 1986 (20 marks)**

1. Object, Definitions, Consumers Protection Councils, Consumer Dispute Redressal Agencies, Composition and jurisdiction.
2. Procedure for filing complaint, appeals, enforcement of orders, penalties.

*Recommended books and reading*

1. Ratanlal and Dhirajlal, The Law of Torts
2. Winfield on Tort,
3. Ramaswamy Iyer, The Law of Torts
4. Pandey J.N., Law of Torts with Consumer Protection
5. Bangia V.K., Law of Torts
6. Shukla M.N., Law of Torts
7. Tiwari O.P., The Consumer Protection Act
8. Gurjeet Singh, Law of Consumer Protection in India (Deep & Deep Publication, New Delhi)
9. Gurbax Singh, Law of Consumer Protection (Bharat Law Publication, Jaipur)
10. Avtar Singh, Introduction to Law of Torts.

**Semester II (November-April)**

**Paper: 9 : Practical Training III (Professional Ethics,  
Accountancy for Lawyers and Bar-Bench Relations)**

**100 marks**

*Note :*

1. The course will be taught in association with practising lawyers.
2. The examination consists of two parts
  - A. Journal Work through the semester to be assessed by the teacher, and viva-voce examination at the end of the semester carrying -20 marks
  - B. Written examination at the end of the semester - 80 marks

3. Candidate has to obtain for passing in this paper minimum of 7 marks in part A and 28 marks in Part B.
4. Division of marks for written examination:
  - (I) Professional Ethics - 35 marks
  - (II) Bar-bench relations - 15 marks
  - (III) Accountancy for lawyers - 30 marks

**(I) Professional Ethics**

**(II) Bar-Bench relations**

With reference to the following as affecting the legal profession and with relevant cases

1. The Constitution of India
2. The Advocates Act 1961
3. The Contempt of Court Act 1973

**(III) Accountancy for lawyers**

1. Theoretical information about the Cash Books, Ledger, Purchase register, Clients register, Capital amount
2. Writing of Ledger, Sub-ledgers including that of Accounts receivables
3. Bank Book
4. Bank Reconciliation Statements
5. Rectification of errors
6. Preparation of Trial Balance
7. Preparation of Income and Expenditure Accounts
8. Preparation for Balance Sheet
9. Information about Tally or Trio or any other Accounting Packages



**Cases prescribed for study**

1. P D Khandekar v Bar Council of Maharashtra (1984) 2 SCC 556
2. M Veerabhadra Rao v Bar Tek Chand (1984) Supp SCC 571
3. Prahlad Saran Gupta v Bar Council of India (1997) 3 SCC 585
4. V P Kumaravelu v bar Council of India (1997) 4 SCC 266
5. Brajendra Nath Bhargav v Ramchandra Kaslival (1998) 9 SCC 169
6. Ramon Services Pvt. Ltd v Subhash Kapoor (2001) I SCC 119
7. Shambhu Ram Yadav v Hanumandas Khattray AIR 2001 SC 2509
8. D P Chdha v T N Mishra AIR 2001 SC 457
9. Harish Chandra Tiwari v Baiju AIR 2002 SC 548
10. Prem Surana v Additional Munsif and Judicial Magistrate AIR 2002 SC 2956

*Recommended books and readings*

1. Krishnamurty Iyer, Advocacy
2. Rao Sanjeev, Advocates Act, 1961
3. Iyer K J, Law of Contempt of Court, Legislature and Public Servants
4. J. R. Batliboi, Book Keeping and Accountancy
5. Skukla and Grewal, Advanced Accountancy
6. Rules framed by Bar Council of India.

**SECOND LL.B**

**Semester III (June-October)**

- Paper No.10. Law of Evidence - 100 marks
- Paper No.11. Environmental Law (including laws for protection of wild life and other living creatures and animals welfare) - 100 marks
- Paper No.12. Human Rights and International Law-100 marks
- Paper No.13. Arbitration Concillation and Alternative disputes Resolution System - 100 marks

**Semester IV (November-April)**

- Paper No.14. Jurisprudence - 100 marks
- Paper No.15. property Law including Transfer of Property Act and Easement Act - 100 marks
- Paper No.16. Practical Training IV (Public Interest Lawyering, Legal Aid and Para-Legal Services) - 100 marks
- Paper No.17. Optional Papers (any one) - 100 marks
- a. Comparative Law
  - b. Law of Insurance
  - c. Conflict of Laws
  - d. Intellectual Property Law
- Paper No.18. Law of Contract - II - 100 marks

**Semester III (June-October)**

**Paper 10 - Law of Evidence**

**100 marks**

The Indian Evidence Act 1872 (with latest amendments and up-to-date case-law)

1. Preliminary (Sec. 1 to 4)  
(Objects, Application and Definitions)
2. Evidence of facts in issue and relevant facts only (Sec. 5)
3. What facts are relevant (Sec. 6 to 16)
4. Admissions (Sec. 17 to 31) (Confession)
5. Statement by persons who cannot be called as witnesses (Sec. 32 & 33)
6. Statements made under special circumstances (Sec. 34 to 39)
7. Relevancy of Judgments (Sec. 40 to 44)
8. Relevancy of opinions of third persons (Sec. 45 to 51)
9. Relevancy of Character (Sec. 52 to 55)
10. Facts which need not be proved (Sec. 56 to 58)
11. Oral evidence (Sec. 59 to 60)
12. Documentary Evidence (Sec. 61 to 73 A)
13. Public Documents (Sec. 74 to 78)
14. Presumptions as to Documents (Sec. 79 to 90-A)
15. Exclusion of oral by documentary evidence (Sec. 91 to 100)
16. Burden of Proof (Sec. 101 to 114-A)

17. Estoppel (Sec. 115 to 117)
18. Competency of witnesses (Sec. 118 to 134)
19. Examination of witnesses (Sec. 135 to 166)
20. Improper admission and rejection of Evidence (Sec. 167)

*Recommended books and readings*

1. Ratanlal and Dhirajlal, The Law of Evidence
2. Batuk Lal, The Law of Evidence
3. Avtar Singh, Principles of The Law of Evidence
4. Vepan Sarathy, The Law of Evidence
5. Dr. Satish Chandra, Indian Evidence Act.

**Semester III (June-October)**

**Paper 11 - Environmental Law (Including laws for protection of wild life and other living creatures and animal welfare)**

**100 marks**

**1. Introduction**

- i. Nature, scope, need and application of Environmental law
- ii. Environmental pollution - causes and effects

**2. Constitutional Provisions**

- i. Right to life, right to Wholesome environment, right to development  
Directive principles of State policy, Fundamental duties, Constitution and environmental legislations
- ii. Environment Protection and Public Interest Litigation

3. International Environmental Law and Environment Protection
  - i. Sustainable development, polluter-pays-principle, Precautionary principle
  - ii. Salient features and critical study of Stockholm Conference on Human Environment, 1972
  - iii. Nairobi Declarations, 1982
  - iv. Rio, Conference on Environment and Development, 1992 (Earth Summit)
    - Rio Declaration
    - Convention on Biological Diversity, The Indian Biological Diversity Act 2002
    - Convention on Climate Change 1992
4. Environment Pollution and Laws in India
  - i. Framework and analysis of anti-pollution Acts and Rules
  - ii. Authorities under the Acts
  - iii. Penalties and Liabilities under the Acts
  - iv. Rules
    - i. Noise Pollution (regulation and Control) Rules 2000
    - ii. Hazardous Wastes (Management and Handling) Rules 1989
    - iii. Manufacture, Storage and Import of Hazardous Chemical Rules 1989
    - iv. Municipal Solid Wastes (Management and Handling) Rules, 2000
    - v. Coastal Regulation Zone (CRZ) Notification of 1991

5. Environment and Development
  - i. Important environmental issues involved in the development projects like big dams
    - The Silent Valley Project
    - The Tehri Dam Project
    - The Narmada Valley Project
  - ii. Environmental Clearance
    - Environment Impact Assessment
    - National Environment Appellate Authority Act 1997
6. Environmental Policies in India
  - i. Pre-independence policy on environment
  - ii. Post-independence policy on environment
7. Liability to pay compensation-no-fault liability
  - i. The Public Liability Insurance Act 1991
  - ii. The National Environment Tribunal Act 1995
8. Protection of Wild Life and Forests
  - i. The Wild Life (Protection) Act 1972
  - ii. The Indian Forest Act 1927
  - iii. The Forest (Conservation) Act 1980

*Recommended books and reading*

1. Ball and Bell, Environmental Law
2. Shyam Divan : Armin Rosencranz Environmental Laws and Policy in India - Cases, Materials and Statutes  
Environmental Law and Policy in India
3. Baxi Upendra, The Bhopal Case

4. Aggarwal Anil, The State of India's Environment
5. Lal's Commentaries on Water and Air Pollution and Environment Protection Laws
6. Pal Chandra, Environmental Pollution and Development, ed 1999
7. Iyer V R Krishna, Environment Pollution and the Law
8. Malaviya, Environment Pollution and its Control under International Law
9. Leelakrishnan, Environmental Law in India 1986
10. The Environment (Protection) Act 1986 and Rules 1986

**Semester III (June-October)**

**Paper 12 - Human Rights and International Law**

**100 marks**

Division of marks :

A. Human Rights - 40 marks

B. International Law - 60 marks

**A. Human Rights (40 marks)**

1. Human Rights, nature, concept, origin and development, importance, classification.
2. Civil and Political rights, International instruments - UN Charter, UDHR International Covenant on Civil and Political Rights, Part III of the Constitution of India
3. Social and economic Rights, International instruments including International Covenant on Economic, Social and Cultural Rights, Part IV of the Constitution of India

4. Human Rights and Vulnerable groups, rights of women, Children, disabled, tribals, aged and minorities, National and international legal developments, Part IV A of the Constitution of India (Fundamental duties)
5. Enforcement of human rights, international regional and national mechanism (Legislative, executive and judicial) NHRC - Role of legal profession, NGOs and media

**B. International Law (60 marks)**

1. Introductory -
  - a. History of International law
  - b. Theories of International Law as to its basis
  - c. Codification in international law
  - d. Nature scope and present day position of international law
2. Sources of International Law
  - a. Treaties
  - b. Customs
  - c. General principles of international law
  - d. United Nations General Assembly resolutions as a source of international law
  - e. Non-statute, other sources of international law.
3. Relationship between international law and municipal law (internal law)
  - a. Theories
  - b. State Practice, with special reference to Indian Practice



4. Subjects of International Law
  - a. State including recognition of states and governments and State succession
  - b. Individuals
  - c. International Organisations and non-State entities
  - d. Multinational companies and other private entities
5. Jurisdiction of states
  - a. Territorial jurisdiction
  - b. Personal jurisdiction
  - c. Protective jurisdiction
  - d. Universal jurisdiction (terrorism, hijacking, narcotics, war-crimes and crimes against peace)
  - e. Diplomatic immunities and privileges
  - f. State immunity
6. Law of State responsibility
  - a. Responsibility arising out of
    - i. Acts of State (Direct responsibility)
    - ii. Acts of individuals (indirect responsibility)
    - iii. Act of corporations
    - iv. state responsibility for other subjects of international law
  - b. Consequences of state responsibility
  - c. Calvo clause - exhaustion of local remedies
7. Settlement of International disputes
  - a. Peaceful settlement of International disputes
  - b. Coercive settlement of International disputes (with reference to provisions of the UN charter)
  - c. War and UN charter

8. International Transactions - Treaties
  - a. Significance of Vienna Convention on law of treaties
  - b. Creation of treaty - steps involved
  - c. Termination, suspension and invalidation of treaties
  - d. Interpretation of treaties
  - e. Retro-active effect of treaties
9. Individuals and International law
  - a. Extradition
  - b. Asylum
  - c. Nationality
10. International Institutions
  - a. Basic purposes. Principles and membership of United Nations
  - b. Organs of United Nations - with special reference General Assembly, Security Council and International Court of Justice.
11. Legal Control of International Conflicts
  - a. Prohibition of use of force
  - b. Weapons of mass destruction and International law
  - c. International Humanitarian law

*Recommended books and reading*

1. Kapoor S K, Human Rights and Indian Laws International Law
2. Agarwal H O, International Law and Human Rights
3. Tondon M.P, International Law

4. Gurdip singh, International Law
5. Starke J.G, Introduction to International Law
6. Shaw Malcohm N, International Law
7. VR Krishna, Iyer Human Rights in India
8. Chandra Upendra, Human Rights
9. Diwan paras, Human Rights and Law
10. Brownlie Ian, Principles of Pubic International Law
11. O'Connell, International Law
12. Oppenheiml, International Law (Vols 1 & 2)
13. Hamis, cases and Material on International Law
14. Green L.C., Cases and Materials on International Law
15. Indian Journal of International Law

**Semester III (June-October)**

**Paper 13 : Arbitration, Conciliation and Alternative  
Disputes Resolution Systems**

Division of Marks : 100 Total

1. Arbitration and Conciliation : 50 Marks
2. Alternative Dispute Resolution System : 50 Marks

**(A) SYLLABUS OF Arbitration and Conciliation Act  
1996.**

Preliminary : Section 1 Short Title, Extent and  
Commencement

**PART-I : ARBITRATION**

Chapter-I : Sections 2 to 6 General Provisions

Chapter-II : Sections 7 and 8 Arbitration Agreement

Sections 9 Interim measures by Court.

Chapter-III : Sections 10 to 15 Composition of Arbitral Tribunal

Chapter-IV : Sections 16 to 17 Jurisdiction of Arbitral Tribunals

Chapter-V : Sections 18 to 27 Conduct of Arbitral Tribunals

Chapter-VI : Sections 28 to 33 Making of Arbitral Award and termination of proceedings.

Chapter-VII : Sections 34 Recourse against Arbitral Award

Chapter-VIII : Sections 35 and 36 Finality and Enforcement of Arbitral award

Chapter-IX : Section 37 Appeals

Chapter-X : Section 38 to 43 Miscellaneous Provisions.

PART-II : CONCILIATIONS : Sections 61 to 81.

**(B) ALTERNATIVE MODELS OF DISPUTE SETTLEMENT**

1. Models of Dispute Settlement, Litigation versus Arbitration Models of Alternative Dispute Resolutions. Negotiation, Conciliation, Mediation, Mini-trial, Fast Tract Arbitration. Nature, Scope, Limitations and necessity of alternative models of disputes resolution.
2. Administrative tribunals - Article 323 A and B
3. Family Court under the Family Court Act, 1984.
4. Consumer Council and forums under the Consumer Protection Act, 1986.

5. Settlement of Dispute through Lok Adalat and Lok Nyayalayas. Grassroots Justice and Panchayat System for Resolution of dispute.

*LIST OF BOOKS IN ARBITRATION AND CONCILIATION ACT*

1. Avtar Singh : Law of Arbitration and Conciliation (E.B.C. Lucknow)
2. Basu N.D. : Arbitration and Conciliation Act (UBT)
3. Johari : Commentary on Arbitration and Conciliation Act (UBT)
4. Krishnamurthys : Law of Arbitration and Conciliation (E.B.C. lunknow)
5. Kwatra G.K. : New Arbitration and Conciliation Law of India Comparative Study of old and new.(Indian Council of Arbitration, Federation House, Tansen Marg, New Delhi)
6. Mathur G.C. : Arbitration and Conciliation Act, 1996
7. Roy P.C. : Arbitration and Conciliation Act (UBT)
8. Roy Chaudhari : Arbitration and Conciliation Act
9. Narayana P.S. : Arbitration and Conciliation Act
10. Tewari O.P. : Arbitration and Conciliation Act (ALA Allahabad)
11. Rao P.C. : Alternative Dispute Resolution What it is and How it is (UBT)
12. Upendra Baxi : Crisis of the Indian Legal System, (1982)
13. B.S.Patil : The Law of Arbitration and Conciliation
14. S.D.Singh : The Law Arbitration (EBC)

**Semester IV (November-April)**

**Paper 14- Jurisprudence**

**100 marks**

**A. Jurisprudence and Legal Theory**

1. Nature, scope and utility of jurisprudence.
2. Nature of law - general.
3. Administration of justice, necessity, criminal Justice and its pupose, Civil Justice & primary and sanctioning rights.
4. Sources of law - General.
  - a. Legislation -a source of law, nature, supreme legislation, subordinate legislation, its relation with other sources.
  - b. Precedent - a source of law, meaning, theories, doctrine of stare decisis in India, Power of the Supreme Court under Art 141 of the Constitution Circumstances destroying or weakening the binding force of precedent, ratio decidendi and obiter dicta with relevant Indian case-law.
  - c. Custom - a source of law, definition, characteristics of customs.
5. Natural law theory
6. Positive theory of law
  - a. Analytical school and imperative theory
  - b. Pure theory of law
  - c. Law as set of rules - H.L.A. Hart

7. Legal realism-
  - a. American
  - b. Scandinavian
8. Historical school of law
9. Sociological school of law

**B. Concepts**

1. Persons, the concept of legal personality, legal status of lower animals, dead men, unborn persons, corporation and the state
2. Legal definition -wrongs,duties, rights, characteristics of legal rights, Legal Rights in wider sense (Hohfeldian analysis of legal rights), kinds of legal rights
3. Ownership, definition, characteristic of ownership, subject-matter, kinds of ownership
4. Possession, idea,kinds, modes of acquiring possession and ownership, possessory remedies
5. Property, meaning, kinds, theories, modes of acquisition property
6. Liability.nature and kinds, theory of remedial liability, theory of penal liability, negligence. theory of strict liability, vicarious liability, measures of civil and criminal liability

*Recommended books and reading*

1. Fitzgerald P J, Salmond on Jurisprudence
2. Dias, Jurisprudence
3. Sethna M J. Jurisprudence
4. Mahajan V.D. Jurisprudence and Legal Theory
5. Tandon M P, Jurisprudence
6. Dhyani S N, Fundamentals of Jurisprudence
7. Paranjpe N V, Jurisprudence and Legal Theory

**Semester IV (November-April)**

**Paper 15- Property Law Including Transfer of Property Act and Easement Act**

**100 Marks**

**(with latest amendments and up-to-date case-law)**

**A. The Transfer of Property Act 1882 -80 marks**

**B. The Indian Easements Act 1882 -20 marks**

**A. The Transfer of Property Act 1882**

1. Preliminary - object, application, definitions and doctrine of notice (Ss 1-4, 102-104)
2. Transfer of property by act of parties(Ss 5-53A)
3. Sale of immovable property(Ss 54-57)
4. Mortgages of immovable property (Ss 58-98)
5. Charges(Ss 100-101)
6. Leases of immovable property (Ss 105-117)
7. Exchanges (Ss 118-121)
8. Gifts (Ss 122-129)
9. Transfer of actionable claims (Ss 130-137)

**B. The Indian Easements Act 1882**

1. Easements (Ss 1-51)
2. Licenses (Ss 52-64)

*Recommended books and reading*

1. Sarathi V.P. Law of Transfer of Property
2. Shah S.M. Principles of the Law of Transfer
3. Mulla on Transfer of Property Act
4. Lahiri M.M. Transfer of Property Act
5. Mitra B.B. Transfer of Property Act
6. Shukla S.N. Transfer of Property Act



**Semester IV (November-April)**

**Paper16- Practical Training (Public Interest Law  
Lawyering, Legal Aid and Para-Legal Services)**

**100 marks**

**Division of Marks**

- A. Class lectures and practicals written in journal on topics mentioned below and assessed by the teacher-50 marks**
- B. Viva-voce examination about above work-50 marks**  
**Important : Candidate has to obtain for passing in this subject minimum 18 marks in Part A and 17 marks in Part B.**

**Part A**

**(50 marks)**

- 1. Public Interest Lawyering (15 Marks)
  - a. Conducting a project through research/legal survey and writing report of the project in the journal, all the working material must be submitted with the journal
  - b. Writing essays on any aspects of each of the following topics (not exceeding 2000 words each)
    - i. Public Interest Litigation, concept, development through decided cases, limitation
    - ii. Lok Adalat
    - iii. Role of Advocates in implementation of legal aid schemes
    - iv. Amicus curiae

2. Legal Aid (15 marks)
  - (a) Provisions Regarding Legal Aid in
    - i. The Constitution of India
    - ii. Legal Services Authorities Act 1987 (with latest amendments)
    - iii. Maharashtra State Legal Services Authorities Rules 1998
    - iv. Criminal Procedure Code 1973
  - b. Clinical Legal Education
    - i. Lessons in negotiations skills, counselling, office management, use of computer in legal work etc.
    - ii. Practical exercises should be conducted about dealing with clients at the legal Aid Centre or by simulation exercises in respect of negotiations, counselling, Visit to lawyer's offices.

*Reports to be written in the journal*

3. Para Legal Services (10 Marks)

Participating in legal literacy camps or parelle training courses to NGOs. Public servants, or other students. Report to be written in the journal.
4. Case Comment or Critical article for a law journal on current legal issues (10 marks)

**Semester IV (November-April)**

**Paper 17- Law of Contract-II**

**100 marks**

**(With latest amendments and case-law)**

1. Indemnity and Guarantee  
Contract of indemnity, contract of guarantee, distinction between contracts of indemnity and guarantee, revocation of guarantee.
2. Bailment and Pledge
  - a. Bailment- Definition, kinds of bailment, distinction between bailment and license, bailment and sale, rights and duties of a bailee, rights and duties of a bailor, rights of a bailee against wrong doer, termination of bailment, finder of lost goods, rights of finder of goods.
  - b. Pledge : Definition, bailment and pledge, essentials of pledge, rights and duties of pawnor and pawnee.
3. Agency
  - a. Appointment and authority of agent, sub-agents, kinds of agency, creation of agency, renunciation of agency and revocation of authority.
  - b. Duties of principal and agent towards each other, effect of agency on contracts with third persons.
  - c. Rights and duties of agent, rights and duties of principal, principal's liability for acts of the agent, liability of undisclosed principal, liability of pretended agent personal liability of agent to third parties, termination of agency.

4. Partnership

a. Nature of Partnership-

Definition of partnership firm mode of determining existence of partnership, distinction between partnership and co-ownership, partnership and joint Hindu family business, partnership and company.

b. Relations of partners to one another

Rights of partner, duties and liabilities of partner, property of firm and its application

c. Relations of partners to third parties

Authority of the partner, liability of firm for partner's acts liability by holding-out rights of a transferee of a partner's interest, law relating to minors admitted to the benefits of partnership.

d. Incoming and outgoing partners

New partner, retirement of the partner, rights and liabilities of an outgoing partner, expulsion of a partner, deceased partner

e. Dissolution of a partnership firm

Mode of dissolution, grounds of dissolution consequences of dissolution, rights and liabilities of partners after dissolution, rules of settlement of accounts after dissolution.

f. Registration of a firm

General provisions of registration, effect of registration, effect of non-registration.

5. Sale of goods
  - a. Contract of Sale, of Goods  
Essentials of contract of sale, distinction between sale and agreement to sell, formalities of the contract of sale
  - b. Condition and Warranties  
Definition of condition and warranty, express and implied condition and warranty, doctrine of caveat emptor
  - c. Effect of Contract  
Transfer of property as between seller and buyer, transfer of title on sale.
  - d. Performance of the contract of sale  
Duties of the seller and buyer, mode of delivery and rules as to delivery of goods.
  - e. Rights of unpaid seller against the goods,  
Definition of unpaid seller, unpaid seller's right seller's lien, stoppage-in-transit, transfer by buyer and seller.
  - f. Suits for breach of contract  
Remedies for breach of contract, repudiation of contract of sale.
  - g. Sale by Auction
6. Hire-purchase agreement  
*Hire-purchase agreement, concept, nature, scope*  
*Statutes*
  1. Indian Contract Act, 1872
  2. Indian Partnership Act, 1932
  3. The Sale of Goods Act, 1930

*Recommended books and readings*

1. Avtar Singh, Law of Contract
2. Mulla, Indian Contract Act
3. Mulla, Sale of Goods Act and Partnership Act
4. Bangia R K, Indian Contract Act
5. Desai P R, Principles of Law of Contract
6. Pollock and Mulla, Indian Contract Act and specific Relief
7. W. R Ason, Principles of English Law of Contract
8. Pollock and Mulla, Sale of Goods Act and partnership Act
9. Agarwal, sale of Goods Act, 1930 and Partnership Act. 1932
10. Avtar Singh, Law of Partnership
11. Kapoor S.K, Law of Contract.

**Semester IV (November-April)**

**Paper 18-Optional paper (a)**

**Comparative Law**

**100 Marks**

1. Comparative Law  
Its Character definition its object  
Different phases used to explain this method of study
2. Origin and development of comparative law
3. Distinction between comparative law and  
private International Law  
Public International Law  
Legal History  
Sociology of Law

4. Functions, value and aim of comparative law

Law as a science cannot limit within territorial Limits  
(Natural and medical science are international and not remain domestic)

Practical benefits of comparative law

- a. As an aid to the legislator
- b. as a tool of construction (Interpretation of domestic law)
- c. as a Component of legal education by adopting in curriculum in the universities
- d. as a tool for unification of law

5. Types of legal systems

*Different grouping by different jurists*

1. (a) Romanistic family
  - (b) Germanic family
  - (c) Nordic family
  - (d) Common law family
2. (a) Civil Law system/continental system
  - (b) Common law system

Factors decisive for classification

Historical development

Mode of legal thinking

Distinctive characters of legal institutions

Choice of sources of law

Ideology of each legal system

6. Method of studying comparative law
  - Comparative law as it is practised today (process of comparison)
  - Its functionality
  - Imagination and discipline
  - Comparativist must look outside the law
  - Choice of legal system for comparison (depends on the topic research)
  - Build a system
  - Critical evaluation of what has been discovered
7. Reference of Comparison between different legal systems
  - Value of judicial decision in civil law system and common law system
  - Statute law and its importance under different legal systems
  - Legal system having mixed features
  - Difference in legal terminology in various legal systems.
8. Comparative dimensions of
  - a. Contract- Formation of contracts, offer and acceptance formal requirements, illegality and immorality
  - b. Torts, in general, vicarious liability, strict liability
  - c. Invasions against right of personality
  - d. Judges and courts, training and recruitment of judges



- e. Method of deciding cases
- f. Manner of writing opinions and decisions, jury trial

*Recommended books and reading*

1. Zweigart and kotz, Introduction to Comparative Law
2. Gutteridge, Comparative Law
3. Rene David, Major Legal systems in the world Today  
an Introduction to the Comparative study of Law
4. Baxi and Markensinis, foreign Law and Comparative  
Methodology - A subject and a Thesis

**Semester IV (November - April)**

**Paper 18 - Optional Paper (b)**

**Law of Insurance**

**100 marks**

Division of marks :

1. General Principles of Insurance - (40 marks)
2. The Insurance Act 1938, public Liability Insurance  
Act 1991, Personal Injuries (Compensation Insurance)  
Act 1963, Insurance Regulatory and Development  
Authority Act 1999, Life Insurance Corporation  
Act 1956 and General Insurance Business  
(Nationalisation) Act 1972 - (45 marks)
3. Insurance under the motor Vehicles Act 1988-  
(15 marks)  
(with latest amendments and upto date Case Law)

1. General Principles of Insurance- (40 marks)
  - a. Insurance : What is insurance : Functions and benefits of insurance : Double Insurance (See also 34 of the Marine Insurance Act 1963) : Re-insurance; Under-insurance: Classes of insurance - Voluntary, commercial, compulsory, Social
  - b. Risks : Insurable and other risks; handing risks, spreading risks; mathematical value risk; rating of risk. Extent of risk, loss caused by insured's own Act, commencement or duration of risk, termination of risk, period of Risk and time of loss; peril and proximate cause.
  - c. Insurance Contracts :
    - i. What is a contract of insurance?
    - ii. Subject matter of insurance- physical object chose-in-action, liability,
    - iii. Types- Life, property, marine, fidelity, employer's liability, motor accident railway accident miscellaneous
    - iv. Formation of an insurance contract : S 23 to 26 of the marine Insurance Act 1963. S 64VB of the Insurance Act
    - v. Representations and warranties.
    - vi. Duty of disclosure, material facts, duty of insured and of insurer, breach of duty, remedy Ss 19 to 22 of the Marine Insurance Act 1963,S 45 of Insurance Act 1938

- vii. Documents- proposal, policy, slip- cover note certificate of insurance
  - viii. Conditions of policy- conditions implied in a contract of insurance, conditions precedent and subsequent to validity of policy, condition precedent to liability of insurer effect of breach, waiver of breach
  - ix. Indemnity extent
  - x. Assignment of policy and its effect, S 38 of Insurance Act 1938 S 52, 53 of the Marine Insurance Act 1963
  - xi. Premium, calculation return : S 33, 54 of the Marine Insurance Act 1963
  - xii. Insurable interest, contractual and statutory, time when it must exist, insurance and wagering agreement; Ss 6 to 9,16, 17 of the Marine Insurance Act 1963
  - d. Doctrine of subrogation, limits on the doctrine : rights and remedies of insured exercise of the right, subrogation and abandonment
  - e. Contribution, conditions for exercise of right, methods of contribution
2. The Insurance Act 1938. The Public Liability Insurance Act 1991. The personal Injuries (Compensation Insurance) Act 1963, The Insurance Regulatory and Development Authority Act 1999, The Life Insurance Corporation Act 1956 and The General Insurance Business (Nationalisation) Act 1972 - (45 marks)
- a. Insurance Act 1938
    - i Terms and definitions-

1. Policy-holder, insurer, Authority
2. Chief agent, insurance agent, principal agent , special agent
3. Insurance company, Indian insurance company, insurance co-operative society.
4. Life insurance business, fire insurance business, general insurance business, marine insurance business, miscellaneous insurance business,
- ii. Provisions applicable to insurers- Section 2c,3, 3B,4,5,6,6A,6AA,10,29
- iii. Assignment or transfer of policies, nominations-Sections 38-39
- iv. Licensing of agents, commission and rebates- Ss 40,40A,42,42A,42B,42C,43, 44.
- v. Special Provisions- Ss45, 46, 47,47A,
- vi. Tariff Advisory Committee and Control of Tarriff Rates-Ss 64U, 64UA, 64UC, 64UE, 64UM.
- vii. Provident Societies-Ss 65,65A 66,67,69
- b. Public liability Insutance Act 1991
  - i. Objects and Reasons for the statute
  - ii. Sections 2-18. Schedule
- c. Personal Injuries (Compensation Insurance) Act 1963
  - i. Objects and Reasons for the statute

- ii. Section 2- employer, partial disablement, total disablement, wages, workman
- iii. Compensation payable under the Act - Ss 3,4,7,
- d. Insurance Regulatory and Development Authority Act 1999
  - i. Composition of Authority- Ss 4,5,8,10
  - ii. Duties, powers and functions of the Authority - S 14.
  - iii. Powers of the Authority under the Insurance Act 1938
- e. Life Insurance Corporation Act 1956
  - i. Functions of the Corporation S6
  - ii. Exclusive privilege of life insurance business - Ss30,30A; opening of life- insurance sector to private participants
  - iii. Application of Insurance Act - Section 43(1)
- f. General Insurance Business (Nationalisation) Act 1972
  - i. Transfer of shares of Indian insurance companies - Section 4
  - ii. General Insurance Corporation of India - Sections 9, 10. 10A,
  - iii. Functions of the General Insurance Corporation - Section 18
  - iv. Exclusive privilege of carrying on general insurance business- Ss24, 24A; opening of insurance sector to private participants

3. Insurance under the Motor Vehicles Act 1988 - (15 marks)
  - a. Compulsory Insurance of Motor-vehicles under the Motor Vehicles Act 1988, public places 146
  - b. Requirement of policy and limits of liability - Section 147,
  - c. Duty of insurer to satisfy judgment and settlement with insured-Section 149, 152, 155,
  - d. Information about insurance-Sections 151, 158, 159, 160
  - e. Certificate of insurance-Sections 156, 157.
  - f. Liability of insurer in the case of 'no-fault liability', hit and run motor accidents and for payment of compensation on structured formula basis-Ss 140-142, 161, 163, 163A.

*Recommended books and readings.*

Srinivasan MN, Principles of Insurance Law ( 7th ed 2002, ed Avatar Singh)

Ivamy, General Principles of Insurance Law

**IIInd year of LLB. (Three-year LLB Course)**

**Paper 18 Conflict of Laws(Optional) (c)**

**Semester IV (November-April)**

**100 marks**

Part I General Details

1. Introductory Details-

- What is Pr. LL ? Its function, bases
  - Development and history
  - Unification Efforts
  - Modern Theories
  - Stages in a Conflict of Law's Case
    - Choice of Law
    - Choice of Jurisdiction
    - Recognition and Enforcement of
    - Foreign Judgments/Awards
  - 2. Choice of Jurisdiction (First Stage)
    - Meaning Bases of Jurisdiction, Limitations
    - Kinds of Jurisdiction
      - In personam
      - Inrem
      - Admiralty Action
      - Stay of Proceedings/Actions
      - Assumed Jurisdictions
  - 3. Classification / Characterisation
    - Necessity for classifications
    - Various theories
    - Leading case illustrative of theories  
(Re Cohn Apt V. Apt, Shehnaz V. Rizwan, Ogden V. Odgen, De Nicols V. Curlier, Re Berehrold. Re. Maldonade)
- Choice of law - Lex Causes

(Two parts of this stage)

(i) Connecting Factor (First Part)

- Why Connecting factor
- Selection of lex Causes (applicable law)

(ii) Application of lex causes (Second Part)

Three meanings of I.C.

Renvoi- Partial

Renvoi-Total, Foreign Court Theory

Critical Analysis of Renvoi

(iii) Leading Cases

Collier V. Rivaz. Re Duke of Wellington.

Bremer V. Freeman, Re. Aske. Re Annesly.

Re Ross. Forege's Case

Limitations on application or exclusion on foreign law

Incidental Question and Time Factor

Concept of Domicile

General Principles

Elements of Domicile : Intention & Residence

Winavas V. Att. Gen, Ramsay V. Liverpool

Royal infirmary

Kinds of Domicile

Domicile of Origin

Domicile of Choice



Domicile of Dependent  
Domicile of Corporation.

8. Status and Universality of Status  
Part II - Family Law (Law of Persons)
  1. Marriage  
Kinds - Monogamous Hyde V. Hyde Polygamous  
Questions of formal and essential validity. All other relevant details- details regarding matrimonial jurisdiction in India and Marriage Laws
  2. Matrimonial Causes :-  
In England and in India Divorce. Nullity Judicial separation and restitution of Conjugal rights. Choice of jurisdiction and choice of Law positions.
  3. Legitimacy - Legitimation and adoption  
Legitimacy What is legitimacy - Recognition of status of Legitimacy -  
What Law governs legitimacy- Legitimacy and succession
  4. Legitimation - How it is different from legitimacy.  
Recognition of this Status - Different methods where by legitimation may take place, legitimation and succession.
  5. Adoption  
Purpose of Adoption - Adoption at Common law and in Indian Law.  
Recognition of Foreign Adoption  
Adoption and succession.

## Part III Law of Property :-

1. Distinction between Movable and Immovables  
 Immovables-Let Situs rule- Mocabiquo Rule- exception  
 The transfer of tangible movables- theories  
 Lex domicile, lex situs, lex actus, proper law  
 Lex situs prefer Cammell v. Bewell
2. Assignments of Intangible Movable  
 - Kinds of assignments  
 - Theories  
 -Normal and essential Validity Lex domicile, lex situ,  
 lex actus, proper law
3. Negotiable Instrument  
 - Negotiability  
 - What law governs
4. Succession -  
 Testate and Intestate  
 - Intestate succession - of movable  
 - General Rule- lex domicile governs in exceptional  
 circumstances lex situs.  
 - Intestate succession to immovables- general rule lex  
 situs governs  
 - Testate succession- wills-capacity-lex domicile in case  
 of succession to immovables by will, generally lex situs  
 goerns
5. Formal Validity.  
 Lex domicile in case movable and lex situs in case of  
 immovable.

6 Essential validity

Same as formal validity

Part-IV Law of Obligation

a Contracts-

- Validity of Contracts
- Capacity to contract
- Formal validity
- Essential Validity
- Proper Law of contract- Subjective and objective theory

Torts

- Various theories
- Lex foriex loci, proper law etc.
- philips v. Eyre,Boys v. Chaplin

Part V - Recognition and Enforcement of foreign Judgements theories

- Iimitation

*Book recommended for this has been R.H. Graveson*

Now following books may be prescribed -

The Con of Law - R.H. Graveson

The Conflict of law - Morris J. C.

Indian Private Int. Law- S.S.Chavan

Parivate International Law - G. C. Cheshire

Paras Diwan - Indian Private Intermtional Law

*Note* : The Syllabus should be taught with necessary reference to Indian Law and Judicial decisions. Conflict of Laws within Indian Personal Laws with reference to (1) Marriage (2) Property

**Semester IV (November - April)**  
**Paper 18 - Optional Paper (d)**  
**Intellectual Property Laws**  
**100 Marks**

Division of Mark

- |    |   |            |
|----|---|------------|
| A. | The Patents Act 1970  | 25 Marks   |
| B. | The Copyright Act 1957  | 25 Marks   |
| C. | The Trade and Merchandise Marks Act 1958/The Trade Marks Act 1999   | 25 Marks   |
| D. | The Designs Act 2000  | } 25 marks |
| E. | Other types of intellectual property  |            |
| F. | Intellectual Property in general  |            |
|    | (all laws with latest amendments and up-to-date case-law)   |            |
| A. | The Patents Act-1970  |            |
|    | 1. Object of the statute, definitions, invention patentable inventions, inventor and his rights,  |            |
|    | 2. Procedure for grant of patent from its application to the grant of patent, including who may apply for a patent, specification, opposition to grant of patent, Patent of |            |

addition, Product patent and process patent, Effect of grant of patent, Term of patent, Renewal of patent, Lapse of patent and its restoration.

3. Patentee, his rights and obligations; Limitations on patentee's rights-government use; Compulsory licences; Government use of Invention and its acquisition, Assignment and licence of patent, and avoidance of restrictive conditions,
  4. Revocation and surrender of patents
  5. Infringement of patents, and remedies, Threat of Infringement Proceeding
  6. Exclusive Marketing Rights, Patent Agents, International Arrangements
- B. The Copyright Act 1957
1. Nature and purpose of copyright, Works in which copyright subsist, Author and first owner of copyright, Owner of Copyright, Broadcast reproduction right and performer's rights, Term of Copyright, Registration of copyright and its effect.
  2. Rights conferred by copyright Broadcast Reproduction right, Assignment, transmission and relinquishment of copyright, -Voluntary and compulsory.
  3. Infringement of copyright, Remedies for infringement, Offences and criminal proceeding, Acts not constituting infringement, Groundless threat of legal proceedings.
  4. Copyright Societies, International copyright
- C. The Trade and Merchandise Marks Act 1958/ The Trade Marks Act 1999

(The Act of 1999 will be taught after it has come into force, but it shall not be part of an examination unless it is brought into force at least three months before the examination).

1. Object and purpose of the Act, Definitions, Mark; Trade mark Certification Mark; Associated Trade Marks, Collective Marks, Deceptive similarity, Well-known marks
  2. Procedure and duration of registration including classification of goods, refusal of registration, limitations, Which marks can be registered, Registration of trade marks, Certification marks and Associated marks and its effect and advantages, Rights conferred by registration, Consequences of non-registration Renewal, removal and restoration of registration Effect of non-use.
  3. Rights of a proprietor of a trade mark; Assignment and Transmission of Various types of trade marks, Restrictions of assignment, Use of trade marks and Registered Users
  4. Rectification and correction of register.
  5. Infringement and passing off, jurisdiction of Courts Groundless threat of legal proceedings, Remedies, Appellate Board, its jurisdiction and procedure (under the Act of 1999), Offences and penalties, Marking of goods.
- D. The Designs Act 2000
1. Object and purpose of the Act, Definition
  2. Design, Registrable design

3. Procedure for resgistration of design, Copyright in design, Term of a registered design, Marking of goods and its effect,
  4. Rights of a proprietor of a registered design, Assignment and transmission and avoidance of restrictive conditions.
  5. Piracy of registered design, remedies and procedure, groundless threat of legal proceedings.
- E. Other types of intellectual property  
 (These will be taught after the respective statutes concerning them have come into force, but these shall not be part of an examination unless the relevant statute is brought into force at least three months before the Examination)
- Concept, delinition, nature of there rights, including when these are registrable and when they can not be registered in respect of the following types of intellectual property
- (a) Geographical indications
  - (b) Semi Conductor intigrated Circuits layout design
  - (c) Plants Varieties.
- F. Intellectual Property in general :  
 A special type of property, its nature and characteristics; comparison of intellectual property. The object and purpose of protection of each of them. International nature of intellectual property.

*Text Books :*

- (1) Intellectual Property Law - P Narayanan
- (2) Patents, Trade Marks Copyright, Designs and Geographical Indications - B L Wadhwa
- (3) Management of Intellectual Property - Satyawrat Ponkshe

*Reference books :*

- (1) Patent Law - P Narayanan
  - (2) Copyright and Industrial Designs - P Narayanan
  - (3) Trade Marks and Passing off - P Narayanan
  - (4) Iyengar's Copyright Act- R G Chaturvedi
  - (5) Intellectual Property - W R Cornish
  - (6) Cases and Materials on Intellectual property - W R Cornish
  - (7) Intellectual Property Rights - Unleashing the knowledge Economy - Prabuddha Ganguli
-